



**BERMUDA
1951 : 46**

PROTECTED WATERS (CASTLE HARBOUR) ACT 1951

ARRANGEMENT OF SECTIONS

- 1 Control of protected waters and tidal lands
- 2 Powers of arrest

SCHEDULE

Protected waters and tidal lands

[9 June 1951]

[preamble and words of enactment omitted]

Control of protected waters and tidal lands

1 (1) Notwithstanding anything in the Municipalities Act, 1923 [*title 4 item 1*], but subject to this Act, no person shall enter or be in, or cause or allow any vessel or boat to enter or be in, the waters or tidal lands (hereinafter in this Act referred to as "protected waters and tidal lands") described in the Schedule:

(2) Nothing in subsection (1) shall have effect—

(a) in relation to—

- (i) any member of the naval, military or air forces of Her Majesty acting in the execution of his duty;
- (ii) any police officer acting in the execution of his duty, or any other person acting directly in aid of such police officer;
- (iii) any member of the naval, military or air forces of the United States of America acting in the execution of his duty; or

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(iv) any person who has been granted by the Deputy Governor, after consultation with the appropriate United States authority, permission in writing to enter or be in the protected waters or tidal lands;

(b) unless the seaward limits of the protected waters and tidal lands are adequately marked by buoys, stakes or other means.

(2) Where under subsection (1), any person is granted permission to enter or be in protected waters or tidal lands, that person shall, while acting under such permission, comply with such directions for regulating his conduct as may be given by the Deputy Governor after consultation with the appropriate United States authority.

(3) Any person who contravenes any provision of this section commits an offence against this Act:

Punishment on summary conviction: imprisonment for 3 months or a fine of \$840 or both such imprisonment and fine.

(4) If any person is in protected waters or tidal lands in contravention of the provisions of this section, or, while in protected waters or tidal lands, fails to comply with any direction given under this section, then, without prejudice to any proceedings which may be taken against him, he may be removed from the protected waters or tidal lands by any member of the naval, military or air forces of Her Majesty, any police officer, or any member of the naval, military or air forces of the United States of America.

Powers of arrest

2 Any police officer may arrest without warrant any person whom he has reasonable grounds for suspecting to have committed an offence against this Act.

SCHEDULE

PROTECTED WATERS AND TIDAL LANDS

The tidal lands and waters of Castle Harbour extending outwards one hundred yards from mean high water mark and skirting the southern and eastern boundaries of Kindley Air Force Base between, westerly, the boundary between the area designated as the Civil Airport and military area, and, north-easterly, Cove Point.

[Amended by
1970 : 109]